

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl No. : 10/067,362

Confirmation No. 8390

Applicant : David SCHENKEL et al.

Filed : February 7, 2002

TC/AU : 2154

Examiner : Larry D. Donaghue

Docket No. : 551P01US-P2D2

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Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Mail Stop Issue Fee  
Alexandria, VA 22313-1450  
U.S.A.

**Petition To Withdraw Holding Of Abandonment – No Fee Required**

Dear Sir:

This petition under 37 CFR §1.181 is filed in response to the Notice of Abandonment mailed January 3, 2005.

In that Notice, this application is held abandoned for failure to reply to the Notice of Allowance mailed August 13, 2004 for which a reply was due November 15, 2004.

It is respectfully requested that the Notice be withdrawn under 37 CFR §1.181, as the Issue Fee was filed by fax October 29, 2004. The enclosed Transaction Report shows that the faxed materials were received by the United States Patent and Trademark Office on October 29, 2004.

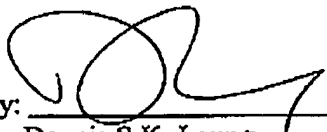
Copies are also enclosed of the Issue Fee papers as submitted by fax, and of the fax cover sheet.

Appl. No. 10/067,362  
Petition Dated January 19, 2005  
Reply to Notice of Abandonment dated January 3, 2005

If further papers or information are required, it is suggested that this can be dealt with most expeditiously by way of a telephone request to the undersigned.

Favourable consideration of this request, and reinstatement of this application is respectfully requested.

Respectfully Submitted,

By:   
Dennis S.K. Leung  
Reg. No. 47,325

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/DSKL/NR/ms

OCT 29 2004

File No



**TO:**

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### Fax Information

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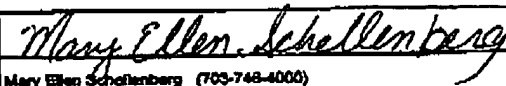
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Approved for use through 07/31/2005. ONE 0851-0331  
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TRANSMITTAL FORM	
Application Number	10087362
Filing Date	February 7, 2002
First Named Inventor	Nicholas DAWES
Art Unit	2154
Examiner Name	Larry D. DONAGHUE
Attorney Docket Number	551P01US-P202
(to be used for all correspondence after initial filing)	
Total Number of Pages in This Submission	4

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Motion, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavit/Declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Part B - Fee(s) Transmittal
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<b>Remarks</b> The Commissioner is hereby authorized to debit any underpayment or credit any overpayment to the USPTO deposit account no. 16-0600 should any additional fees be necessary.	
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm Name	Shapiro Cohen	
Signature		
Printed name	Dennis S. K. Leung	
Date	October 29, 2004	Reg. No. 47,325

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	Mary Ellen Schellenberg (703-748-4000)
Date	October 29, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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